

Judge Jesse Furman
 SDNY
 40 Foley Square
 New York, NY 10007

RE: U.S. v. Schulte

17 CR 548 (JMF)

May 12, 2023

Dear Judge Furman:

I just received the government's letter dated April 28, 2023 today May 13, 2023 — still having significant mail delays. The government only recently provided access to pens, ~~paper~~ & stamps. The typewriter ribbon costs money, and I have asked standby counsel to file a request for funds from the Court. The government claims I purchased ²⁰ stamps on March 23, 2023 — this is incorrect. Although I requested 20 stamps, they only permitted me one stamp to conform with the newly restricted commissary. I have shown this to the head of commissary, who has "fixed" the issue. I would be happy to ~~send~~ mail the Court ~~to~~ A copy of the restricted commissary of 1-stamp. I then used that 1 stamp to mail Judge Kanter in the EDNY for an emergency motion for paper, pens, & stamps — see Schulte v. Warden, MDC, 22-CV-766 (EK)(EDNY), Dkt. 17, April 7, 2023. As the government noted, since my attempt for more stamps 3/28/23 until present, there is a complete cessation of filings except the one on April 7, 2023. Sometime later I received another 1-stamp commissary purchase. I did not receive the government's Rule 29 opposition until March 27, 2023 — after which point I had no stamps.

Finally, the government did NOT do as you requested. You ordered the government to determine whether I could review the discovery at the MDC, & determine what applications I had access to. The government did NOT do this.

I only have 2 pages left after which I will have no paper once again. Unit manager Bullock has yet to provide me with more paper despite requesting for the last few weeks.

As I wrote in my previous letters, I cannot review our 95% of my discovery — and without a pdf viewer or forensic software, I will never be able to review my discovery; there are no possible alternatives to these "formats" based on the available software.

I HAVE ~~BEEN~~ BEEN UNABLE TO REVIEW ANY DISCOVERY SINCE JULY 2022 — ALMOST A FULL YEAR NOW.

I HAVE BEEN TELLING THE COURT I CANNOT REVIEW DISCOVERY FOR THIS ENTIRE TIME.

Now it's May 2023. If this continues, I will not be able to prepare for trial. I will not move for an adjournment, but I will MOVE FOR A MISTRIAL ON SEPT 11, 2023 FOR FAILURE TO PROVIDE ME DISCOVERY WITHIN A REASONABLE TIME BEFORE TRIAL. The record substantially supports this & any trial will be null & void.

The government must also provide the Plex server and the seized work product. The government cannot possibly argue that their late production of discovery is only a "reproduction" if I am not given access to 6 yrs of work product; it is a first-time production if I am forced to start my review from scratch. And I cannot possibly start from scratch and meet the Sept 11, 2023 trial deadline. The government chose not to produce discovery. The government chose to seize my discovery — and then not review it for over 7 months until now. The government continues to play dirty, to delay, to hold my work product hostage, and to keep me from reviewing any discovery. What are you going to do about it? 5/12/23 Josh Schur

Josh Schulte #79471054

MDZ

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ATTN: U.S. v. Schulte, 17 CR 548 (SMF)
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 New York NY 10007

BOOKS

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